

FORM PTO-1390		U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 2958-135
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. Application No. (if known) 10/564823
			New Application
INTERNATIONAL APPLICATION NO. PCT/EP2004/008053	INTERNATIONAL FILING DATE July 19, 2004	PRIORITY DATE CLAIMED July 18, 2003	
TITLE OF INVENTION 7A5/PROGNOSTIN AND USE THEREOF FOR THE DIAGNOSTICS AND THERAPY OF TUMORS			
APPLICANT(S) FOR DO/EO/US Ulrike STEIN, Holger SCHWABE, Wolfgang WALTHER, Peter Michael SCHLAG			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 			
ITEMS 11. TO 20. below concern other document(s) or information included:			
<ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input checked="" type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 			

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20. <input checked="" type="checkbox"/> Other items or information: [x] RO/101 [] RO/105 [x] ISA/210(ISR) [x] ISA/220 [x] IDS/237 [] IB/308 [] IB 401 [] IB/409(IPEP) [] IB/416 [] Published Application WO/					
21. The following fees are submitted:				<u>CALCULATIONS</u>	<u>PTO USE ONLY</u>
<input checked="" type="checkbox"/> Basic National Fee \$300.00				\$ 300	
22. <input checked="" type="checkbox"/> Examination Fee If the written opinion prepared by ISA/US or the IPEP prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 All other situations \$200.00				\$ 200	
23. <input checked="" type="checkbox"/> Search Fee If the written opinion of the ISA/US or the IPEP prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Search Authority \$100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$400.00 All other situations..... \$500.00				\$ 400	
TOTAL OF 21, 22 AND 23 =				\$ 900	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.				\$	
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Rate		
- 100 =	/ 50 =		x 250	\$	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$	
Claims	Number Filed	Number Extra	Rate		
Total Claims	42 - 20 =	22	X \$50.00	\$ 1,100	
Independent Claims	5 - 3 =	2	X \$200.00	\$ 400	
Multiple dependent claim(s) (if applicable)			+ \$360.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 2,400	
<input type="checkbox"/> Applicant claims small entity status. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$ 2,400	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$
TOTAL NATIONAL FEE =				\$ 2,400	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$
TOTAL FEES ENCLOSED =				\$ 2,400	
				Amount to be refunded	\$
				Amount to be charged	\$

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10/564823

a. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. 02-2135 in the amount of \$2,400 to cover the above fees.
A duplicate copy of this sheet is enclosed.

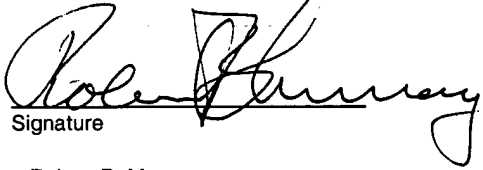
c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-2135. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Customer No. 06449

Rothwell, Figg, Ernst & Manbeck
 1425 K St., N.W.
 Washington, D.C. 20005
 Phone: 202/783-6040


 Signature

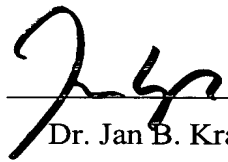
Robert B. Murray
 Name

22,980
 Registration Number

Certificate of Verification

I, Dr. Jan B. Krauss, residing at Astallerstrasse 12, 80339 Munich, Germany, hereby state that I am well acquainted with the German and English languages and that, to the best of my knowledge, the attached document is a true and complete translation of International Patent Application PCT/EP2004/008053 into the English language.

Munich, October 25, 2005


Dr. Jan B. Krauss